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CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
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**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

RONALD E. DICKERSON,

Case No.

A10CA795 SS

Plaintiff,

FILED

VS.

NOV - 1 2010

SOCIAL SECURITY ADMINISTRATION,

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY DM
DEPUTY CLERK

Defendant.

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF

INTRODUCTION

1. The plaintiff Ronald E. Dickerson ("Dickerson") brings this action under the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, for injunctive and other appropriate relief to enforce his right to prompt disclosure of government agency records. Plaintiff seeks the release of records requested from the Social Security Administration concerning the withholding of social security benefits.

PARTIES

2. Plaintiff is an individual that resides in the Western District of Texas. The defendant Social Security Administration is a federal "agency" within the meaning of 5 U.S.C. § 552(f)(1).

JURISDICTION

3. This Court has both subject matter jurisdiction over this action and personal jurisdiction over the parties pursuant to 5 U.S.C. §§ 552(a)(4)(B) and 552(a)(6)(C)(i). This Court also has jurisdiction over this action pursuant to 28 U.S.C. § 1331.

VENUE AND INTRADISTRICT ASSIGNMENT

4. Venue is proper in this district and division under 5 U.S.C. § 552(a)(4)(B) and 28 U.S.C. § 1391(e) because a substantial portion of the events giving rise to this action occurred in this district and division, where plaintiff resides and where the defendant has offices.

FACTUAL ALLEGATIONS

5. Having reached the age of 65, beginning in September 2010, the plaintiff was scheduled to begin receiving social security benefits. Plaintiff was informed by the Social Security Information that more than fifty percent (50%) of his benefits would be withheld purportedly because of prior child support obligations owed to his former wife more than thirty years ago. Plaintiff contacted the Harris County, District Court Clerk and was informed that there was no record of a divorce or any child support obligation.

6. Plaintiff then served a written Freedom of Information Act request to the Social Security Administration. The pertinent parts of that request are as follows:

I request that the Social Security Administration provide me copies of the following:

Any and all documentation relied upon by the Social Security Administration that indicates or refers to any state court judgment imposing any child support obligation. I specifically request a copy of the judgment itself and any documentation provided by the Texas Attorney Generals office or other state agency that requested my social security payments to be withheld.

Re: Social Security Claim Number 461-68-6409A.

7. The Social Security Administration did not provide the requested documents, but instead informed the plaintiff that he should request the documents from the local Social Security Administration office. Plaintiff then went to the local Social Security Administration Office in Austin, Texas, and which refused to furnish any of the requested information and refused to permit the plaintiff to make copies or otherwise inspect the requested documents.

CAUSE OF ACTION

**Violation of the Freedom of Information Act
for Wrongful Withholding of Agency Records**


8. Plaintiff repeats and re-alleges the allegations contained in the paragraphs above.
9. Defendant has wrongfully withheld agency records requested by Plaintiff by failing to comply with the statutory time limit for the processing of FOIA requests. 5 U.S.C. § 552(a)(6)(A)(i).
10. Plaintiff is entitled to an order requiring the immediate processing and release of the requested documents. 5 U.S.C. § 552(a)(4)(B).

REQUESTED RELIEF

WHEREFORE, Plaintiff prays that this Court:

- A. order Defendant to process immediately the requested records in their entirety and make copies available to Plaintiff;
- B. provide for expeditious proceedings in this action pursuant to 28 U.S.C. §1657(a);
- C. award Plaintiff its costs and reasonable attorneys fees incurred in this action pursuant to 5 U.S.C. § 552(a)(4)(E); and
- D. grant such other relief as the Court may deem just and proper.

DATED: 10-20 2010



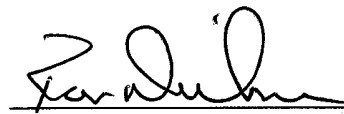
Ronald E. Dickerson, Plaintiff
Box 1092
Bastrop TX 78602
512-303-9701

VERIFICATION

I, Ronald E. Dickerson, declare and state as follows:

I am the plaintiff in the above entitled and numbered cause. All of the statements made in the above Complaint are true and complete to the best of my knowledge.

I make this declaration under penalty of perjury on the 20th day of OCTOBER 2010.

A handwritten signature in black ink, appearing to read "Ronald E. Dickerson", written over a horizontal line.

Ronald E. Dickerson, Declarant / Plaintiff